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Paul Stoxen

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EXAMINER

STERRETT, JONATHAN G

ART UNIT

PAPER NUMBER

3623

MAIL DATE

DELIVERY MODE

09/30/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

1. This Advisory Action is responsive to 15 September 2009.
2. The applicant argues that the claims are not indefinite under 35 USC 112 2nd.
The examiner respectfully disagrees.

The claim recites that event requests are routed to "at least one of a plurality of handler systems". This limitation could be met by having one handler system, i.e., as in "at least one of a plurality".

Later the claim recites that "all of the plurality of handler systems" are able to invoke any of the worker utilities. "all of the plurality" means at least two handler systems. Thus, at a minimum, it is unclear whether the applicant intends to claim at least one handler system or at least two handler systems in the claim. Therefore the claim is indefinite.

The applicant argues that the Cunningham reference fails to teach a client "is enabled to add a new worker utility".

The examiner respectfully disagrees.

The client in McDonough engages the system to make requests in order to fulfill some customer need. The context manager in McDonough acts as an agent on behalf of the customer to invoke the necessary software objects that provide the functionality required to satisfy that customer need. In a sense, the context manager in McDonough adds the worker utility necessary to fulfill the customer request.

In another sense, the system of Cunningham teaches where the client is not a client in the same respect as McDonough, but rather is an institution that makes requests to credit card bureaus which then add worker utilities. However these "clients" are doing so on behalf of actual customers (i.e. clients in the McDonough sense) who are applying for credit cards.

The breadth of the claim language suggests that a customer (or client) in the McDonough sense is "enabled to add" a worker utility since the adding the worker utility then comes in response to client or customer requests. If the claim were to say that the client actually "adds" the worker utility in the context of the system claim, then the cited rejection, as applied, of McDonough and Cunningham would fail to teach this limitation.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3623

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS 9-28-09

/Jonathan G. Sterrett/

Primary Examiner, Art Unit 3623